

IN THE UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION

In the Matter of:

RODOLFO ORTEGA
AIDA VAZQUEZ

CASE No. 9-15-bk-09497-FMD
Chapter 7

Debtor(s)/

MOTION FOR TURNOVER

NOTICE OF OPPORTUNITY FOR OBJECTION AND FOR HEARING

Pursuant to Local Rule 2002-4, the Court will consider this motion, objection, or other matter without further notice or hearing unless a party in interest files a response within 30 days from the date set forth on the proof of service attached to this paper plus an additional three days for service. If you object to the relief requested in this paper, you must file your response with the Clerk of the Court at United States Bankruptcy Court, 801 N. Florida Avenue, Suite 555, Tampa, FL 33602-3899, and serve a copy on the movant's attorney, Diane L. Jensen, P. O. Drawer 1507, Fort Myers, FL 33902-1507, and a copy on Assistant U. S. Trustee, 501 E. Polk Street, Suite 1200, Tampa, FL 33602, within the time allowed.

If you file and serve a response within the time permitted, the Court may schedule and notify you of a hearing, or the Court may consider the response and may grant or deny the relief requested without a hearing. If you do not file a response within the time permitted, the Court will consider that you do not oppose the relief requested in the paper, will proceed to consider the paper without further notice or hearing, and may grant the relief requested.

COMES NOW, Diane L. Jensen as Trustee in Bankruptcy of the above named Debtors and she does hereby move unto this Honorable Court for an Order compelling the Debtors to turnover to the Trustee their excess non-exempt assets and as grounds therefor would state as follows:

1. Debtors exceed their entitlement to claim of exemption by excess monies in bank account of \$564.95; excess furniture and furnishings of \$740.00; excess clothing of \$20.00; excess jewelry of \$100.00; excess on 1998 Chevy S10 of \$200.00; and excess on 2008 Nissan Altima of \$931.00, for a total of \$2,555.95.
2. Trustee has made demand that Debtors surrender or repurchase said excess non-exempt assets but to date Debtors have failed to do so.

WHEREFORE, Movant prays for an Order directing the Debtors to surrender or repurchase said excess non-exempt assets within ten (10) days from the entry of an order on this Motion.

I hereby certify that a true and correct copy of the above and foregoing has been served by electronic notice if registered in the Electronic Case Filing System, otherwise by U. S. Mail on the following: **CYNTHIA P. BURNETTE, Ass't U.S. Trustee, RODOLFO ORTEGA & AIDA**

VAZQUEZ, 900 Gerald Ave , Lehigh Acres, FL 33936, and **ROBERT SANCHEZ**, 355 W. 49th Street, Hialeah, FL 33012, on this December 4, 2015.

PAVESE LAW FIRM
Attorneys for Trustee
Post Office Drawer 1507
Fort Myers, Florida 33902
(239) 334-2195

By: /s/ DIANE L. JENSEN
Diane L. Jensen
Florida Bar #:153607